

Entered - 05/06/03 - sb
CL03L0337 - DIANNE C. MITCHELL

CLAIM OF: **LESLEY GAIL RUBENSTEIN,**
OWNER OF BALLOONS OVER ATLANTA
748 Morosgo Drive, NE
Atlanta, Georgia 30324-3610

03-*R*-1144

For damages alleged to have been sustained as a result of a vehicular accident on February 22, 2003 at 681 Lindbergh Way, NE

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **LESLEY GAIL RUBENSTEIN, OWNER OF BALLOONS OVER ATLANTA** the sum of **\$3,475.34** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on February 22, 2003 at 681 Lindbergh Way, NE as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

ADOPTED BY

AUG 1 8 2003

COUNCIL

FAVORABLE REPORT

COMM *Public Safety*

DATE *7/29/23*

CHAIR *Clara Harris*

Commissioner

C. T. Martin

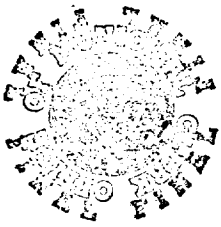
News Network

A. D. Smith

BY: 

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

Shirley Frank
AUG 21 2003
MAY



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-1144

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Lesley Gail Rubenstein owner of Balloons over Atlanta** in the sum of **\$3,475.34** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a **result of a vehicular accident on February 22, 2003 at 681 Lindbergh Way, NE** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,
Rhonda Daughen Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
APPROVED by the Mayor**

AUG 18, 2003
AUG 21, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0337

Date: July 15, 2003

Claimant /Victim LESLEY GAIL RUBENSTEIN, OWNER OF BALLOONS OVER ATLANTA

BY: (Atty)(Ins. Co.)

Address: 748 Morosgo Drive, NE, Atlanta, Georgia 30324-3610

Subrogation: Claim for Property damage \$ 3,475.34 Bodily Injury \$

Date of Notice: 04/16/03 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 02/22/03 Place: 681 Lindbergh Way, NE

Department Police Division:

Employee involved Michael E. Cavalier Disciplinary Action: Pending

NATURE OF CLAIM: The driver of the City vehicle failed to yield right-of-way when he attempted to make a U-Turn and collided with the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures X Diagrams Reports: Police X Dept Report Other

Traffic citations issued: City Driver X Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

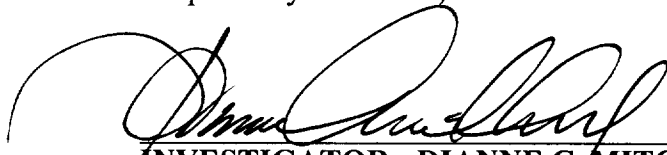
Improper Notice More than Six Months Other Damages reasonable X

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 3,475.34 Adverse Account charged: 1A01 X 2J01 2H01 2P01

Claims Manager: Concur/date 07-15-03

Committee Action: Council Action

RCS# 4947
8/18/03
2:06 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PGS. 1-11, EXCEPT:03-R-1165,
03-R-1170, 03-R-1171,03-R-1172,03-R-1210
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 4948
8/18/03
2:07 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I
03-R-1170, 03-R-1171, 03-R-1172, 03-R-1210
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	B Archibong	Y Moore	A Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

		8/18/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 03-O-1105 2. 03-O-0720 3. 03-O-0780 4. 03-R-1169 5. 03-R-1197 6. 03-R-1198 7. 03-R-1199 8. 03-R-1200 9. 03-R-1201 10. 03-R-1168 11. 03-R-1170 12. 03-R-1171 13. 03-R-1172 14. 03-R-1209 15. 03-R-1210 16. 03-R-1173 17. 03-R-1174 18. 03-R-1184 19. 03-R-1189 20. 03-R-1190 21. 03-R-1211 22. 03-R-1194 23. 03-R-1195 24. 03-R-1196 25. 03-R-1176 26. 03-R-1177 27. 03-R-1178 28. 03-R-1179 29. 03-R-1180 30. 03-R-1192	31. 03-R-1138 32. 03-R-1139 33. 03-R-1140 34. 03-R-1141 35. 03-R-1142 36. 03-R-1143 37. 03-R-1144	38. 03-R-1145 39. 03-R-1146 40. 03-R-1147 41. 03-R-1148 42. 03-R-1149 43. 03-R-1150 44. 03-R-1151 45. 03-R-1152 46. 03-R-1153 47. 03-R-1154 48. 03-R-1155 49. 03-R-1156 50. 03-R-1157 51. 03-R-1158 52. 03-R-1159 53. 03-R-1160 54. 03-R-1161 55. 03-R-1162 56. 03-R-1163 57. 03-R-1164

Consent I Vote: 13 Yeas; 0Nays: (See RCS #4947)

Items Removed from the Consent Agenda: 03-R-1165; Mitchell abstained on 03-R-1170; 03-R-1171; 03-R-1172; & 03-R-1210